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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

MARGARET K. BURNS,
Plaintiff,
v.
SAN FRANCISCO UNIFIED SCHOOL
DISTRICT, ALLEN A. LEE, and DOES 1
THROUGH 10, inclusive,
Defendants.

USDC No. C05-02829 SBA [ECF]

Case filed: 06/03/05
Remanded to USDC: 07/12/15
Reassigned: 08/26/05
Trial date: TBA

ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS FEDERAL CLAIMS AND REMAND ACTION TO STATE COURT

Date: 12/13/05
Time: 1:00 P.M.
Location: Courtroom 3

1 Plaintiff's motion to dismiss her federal claim and for remand of this case to state court having been
 2 duly heard and the premises considered, the Court finds that it does have discretion to remand where
 3 the federal claims have dropped out early in the proceedings, as here. *Carnegie-Mellon Univ. v.*
 4 *Cahill*, 484 U.S. 343, 349 108 S.Ct. 614 (1988). Since the Court finds that Plaintiff has not engaged
 5 in bad faith tactics, remand is appropriate. *Baddie v. Berkeley Farms, Inc.*, 64 F.3d 487, 490-491
 6 (9th Cir. 1995). Therefore, Plaintiff's motion is GRANTED.

7 IT IS HEREBY ORDERED that Plaintiff's federal claims are dismissed with prejudice and
 8 this case shall be remanded to state court forthwith.

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 10 Dated: 10/18/05

11 By: Sandra B Armstrong
 12 JUDGE OF THE U.S. DISTRICT COURT

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